



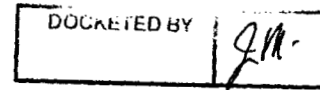
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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

APR 21 1999

JIM IRVIN
COMMISSIONER-CHAIRMAN
TONY WEST
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER



IN THE MATTER OF THE APPLICATION OF
JOE E. STEBLAY DBA MORFONES FOR THE
SALE OF ASSETS AND CANCELLATION OF
THE CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE CUSTOMER-OWNED
PAY TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

DOCKET NO. T-02877A-99-0081

DECISION NO. 61671ORDER

Open Meeting
April 19 and 20, 1999
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. Joe E. Steblay dba Morfones ("Applicant") is a sole proprietorship that has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59129 (June 27, 1995).

2. On February 12, 1999, Applicant filed an application for approval of the sale of assets and cancellation of the Certificate.

3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.

6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

1 7. On March 12, 1999, the Commission's Utilities Division Staff ("Staff") filed a Staff
2 Report, recommending approval of the application to sell assets and cancel Applicant's Certificate
3 without a hearing.

4 8. According to Staff, Applicant indicated that the pay telephones were obsolete and sold
5 as scrap.

6 **CONCLUSIONS OF LAW**

7 1. Applicant is a public service corporation within the meaning of Article XV of the
8 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

9 2. The Commission has jurisdiction over Applicant and the subject matter of the
10 application.

11 3. The sale of assets and cancellation of Applicant's Certificate is in the public interest.

12 4. Staff's recommendation in Findings of Fact No. 7 is reasonable and should be
13 adopted.

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ORDER

IT IS THEREFORE ORDERED that the application of Joe E. Steblay dba Morfones for the sale of assets and cancellation of the Certificate to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

COMMISSIONER-CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, STUART R. BRACKNEY, Acting Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 21 day of April, 1999.

STUART R. BRACKNEY
ACTING EXECUTIVE SECRETARY

DISSENT
BMB:bbs

1 SERVICE LIST FOR: JOE E. STEBLAY DBA MORFONES

2 DOCKET NO. T-02877A-99-0081

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